

ORDINANCE NO. _____, SERIES 2007

AN ORDINANCE AMENDING SUBSECTIONS 115.450(C), 115.455(A) AND (B) OF CHAPTER 115 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (LMCO) PERTAINING TO PRIVATE TOW OPERATORS.

Sponsored By: Councilman Robert Henderson, District 14

WHEREAS, routinely, stolen vehicles are dropped off on private property; and

WHEREAS, owners of such vehicles may not learn that their vehicles have been found until well-after the vehicles have been towed and substantial towing and storage fees have been incurred; and

WHEREAS, Metro Government does not want to see victims of a crime further punished with the additional burden of such fees; and

WHEREAS, Metro Government wants to tow and store these vehicles that have been stolen at no charge to the victims.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: LMCO Sections 115.450(C), 115.455(A) and (B) are hereby amended to read as follows:

§ 115.450 DEFINITIONS.

(C) ***PRIVATE PARKING LOT.*** A parking lot wherein vehicles are parked or stored for hire, or a parking lot provided by a business wherein customers are allowed to park. Private parking lot shall ~~not~~ include a parking area or lot associated with a building used for residential purposes.

**§ 115.455 NOTIFICATION TO POLICE, JEFFERSON COUNTY CLERK'S
OFFICE AND REGISTERED OWNER REQUIRED.**

(A) Prior to towing any vehicle from a private parking lot, a private tow operator shall contact MetroSafe via telephone and provide the information as set forth in subsections (1)–(5), below. MetroSafe will advise the private tow operator to either proceed with the tow or to leave the vehicle for the Louisville Metro Police Department to investigate. ~~Within one hour of the towing of any vehicle by a private tow operator from a private parking lot, the private tow operator shall notify the Jefferson County Clerk's Office via facsimile and the Louisville/Jefferson County Metro Government Police Department dispatcher of the tow by the private tow operator. The~~ This notification shall include:

- (1) The make, model and vehicle identification number of the vehicle to be towed;
- (2) The license number and state of issuance of the license plate;
- (3) The location where the tow is to occurred ~~and the time of the tow;~~
- (4) The location of the private tow company storage yard where the towed vehicle is ~~will be located~~ taken; and
- (5) The telephone number of the private tow operator.

(B) Within one hour of the towing of any vehicle by a private tow operator from a private parking lot, the private tow operator shall notify the Jefferson County Clerk's Office via facsimile with similar information as set out in subsections

(A)(1)-(5), above, except, in subsections (3) and (4), the private tow operator shall set forth the time and location from where the vehicle was towed, and the location of the private tow company storage yard where the vehicle was taken.

~~When~~ After receiving the notification as set forth in subsection (A)(1), above, the Jefferson County Clerk's Office will, in turn, notify the private tow operator of the name and address of the registered owner of the towed motor vehicle as soon as reasonably practicable. The private tow operator shall be responsible to pay such fees for the aforementioned information in subsection (A)(1), above, to the Jefferson County Clerk's Office pursuant to its agreement with Metro Government. If the Jefferson County Clerk is unable to provide the information as set forth in subsection (A)(1), above, then the private tow operator shall contact the Commonwealth of Kentucky Transportation Cabinet to obtain such information in accordance with KRS 376.275.

SECTION II: This Ordinance shall take effect upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

Rick Blackwell
President of the Metro Council

Jerry E. Abramson
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

BY: _____
08/21/07 epm Draft 4 2:00 p.m.

